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RECEIVED

MAY 20 1991

May 15, 1991

WATER RIGHTS
SALT LAKE

Utah Division of Water Rights
Investigations Section
1636 West North Temple
SLC, Utah 84111-63156

RE: Proposed Distribution of Water Within the
Utah Lake Drainage Basin

Dear Sir/Madam:

On May 14, 1991 I attended your meeting in the DWR auditorium concerning the proposed changes for distribution of water within the Utah Lake Drainage Basin. Although I was unable to remain for the question and answer period, I would ask that you consider these observations before the proposed plan is implemented.

By way of background, I represent both the Lakefront Gun, Fur and Reclamation Club and the Westside Associated Duck Clubs and Wildlife Refuges, Inc. which incorporates the Lakefront as well as six other private hunting clubs. All of the parties are what you have termed primary right water users from the Jordan River via the Surplus Canal and, being the last in line to use the water before it goes into the Great Salt Lake, we are keenly interested in any proposed changes even though we do not have a direct call for water from Utah Lake.

With respect to your proposal that the entire Utah Lake drainage be treated as one system, I have concerns over the fact that in order to do so, the State Engineer's office will be required to integrate fully adjudicated water rights with those like the Provo River who are currently undergoing significant disputes and even some users whose rights have never been adjudicated. It seems to me that until such time as the entire drainage has been adjudicated, there could be significant problems determining amounts and priority dates.

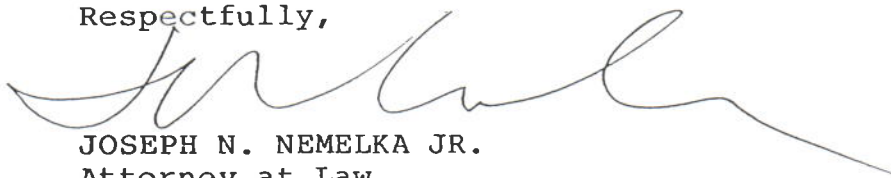
I was also quite concerned over the comments made relating to exchanges being used for new applications and changes in use. If this is, in fact, going on then I believe all affected parties should be informed, whether the attempts were successful or not. I am deeply interested in any attempts by the

(Continued)

CUWCD to change the beneficial use on the water rights they purchased from Kennecott. I would hope that your new system of communication will keep all of us a little more informed.

The majority of your proposal seemed to be the best solution to the problems we will face in the future. As greater demands are made on the available water and new applications are made, it appears that your computer tie in capabilities will greatly increase the amount of information available to those of us who may be affected. I would, therefore, sincerely appreciate your advising how to access this information.

Respectfully,

A handwritten signature in dark ink, appearing to read "Joe Nemelka", with a long horizontal flourish extending to the right.

JOSEPH N. NEMELKA JR.
Attorney at Law

JN:j

cc: D. Rideout
R. Westerman
J. Grambihler
L. Kershaw
F. Lewis

P.S.

During the meeting they kept making reference to something called the Welby-Jacobs Memorandum Decision. If it isn't too much to ask, could I get a copy of this?